

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET
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PROJECT TITLE:

Riverfront Development
Sanitary Sewer Lift Station
Improvements Project- Change
Order #5 with McClure &
Sons, Inc.

_____	Briefing
_____	Proposed Action
_____	Consent
X _____	Action
_____	First Reading
_____	Second Reading
_____	Third Reading
_____	Public Hearing
_____	Budget Advisory

COUNCIL BILL #

Originating Department	Public Works
Contact Person	Tom Fuchs
Phone Number	425-257-8931
FOR AGENDA OF	June 1, 2016

Initialed by:
Department Head
CAA
Council President

A handwritten lowercase letter 'b' on lined paper. The letter is formed with a blue stroke for the bowl and a black stroke for the stem and base. It is positioned on the middle line, with the bowl touching the top line and the stem touching the bottom line.

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
Riverfront Site at	Bid 3/3/15	Change Order #5	Public Works
36 th Street and on	Award 3/25/15		
Landfill	CO #1 1/22/16		
	CO #2 2/1/16		
	CO #3 4/8/16		
	CO #4 5/9/16		

Amount Budgeted	\$6,500,000.00	Account Number(s): UP 3597 / RD 3314
Expenditure Required	\$82,246.09	
Budget Remaining	\$250,000.00	
Additional Required	\$0.00	

DETAILED SUMMARY STATEMENT:

The Riverfront Development Sanitary Sewer Lift Station Improvements Project includes construction of new sewage Lift Station 43 (LS43) and reconstruction of existing Lift Station 33 (LS33). LS33 is located at 36th Street and Eclipse Mill Road and LS43 is located at the 41st Street extension and roundabout.

Change Order #5 adds money to LS33 and LS43 force account bid items to reimburse overruns and pay for future force account work, pays for cost differences for instrumentation changes at LS33 and LS43, approves installation of additional electrical work at LS33 not accounted for in the plans or specifications, and removes the drywall work at LS33 and LS43 Control Building.

RECOMMENDATION (Exact action requested of Council):

Authorize the Mayor to sign Change Order #5 with McClure & Sons, Inc. for the Riverfront Development Sanitary Sewer Lift Station Improvements Project in the amount of \$82,246.09, not including Washington State sales tax.

CITY OF EVERETT Change Order

<i>Project Title</i>	Riverfront Development Sanitary Sewer Lift Station Improvements
<i>Department</i>	Public Works Construction Management
<i>Work Order No.</i>	RD 3314-21, UP 3597-3
<i>Contractor:</i>	McClure & Sons, Inc.
<i>Contract Award Date:</i>	March 25, 2015
<i>City Staff Contact:</i>	Keith Alewine
<i>Change Order No.</i>	5
<i>Change Order Effective Date</i>	April 22, 2016

CONTRACT PRICE (exclusive of Wash. State Sales Tax)

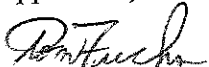

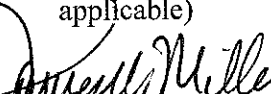
Original contract price	\$5,372,126.00
Cumulative Amount of prior change orders	\$602,465.58
Total Contract Price including prior change orders	\$5,974,591.58
Amount of this Change Order	\$82,246.09
Total Contract Price including this Change Order	\$6,056,837.67

CONTRACT TIME

Original Contract Duration 275	Working Days <input checked="" type="checkbox"/>
Date of Notice to Proceed	May 11, 2015
Cumulative adjustment to duration by <i>prior</i> Change Orders	42
Adjustment to duration by <i>this</i> Change Order	2
New Contract Duration (including this Change Order)	319

Contractor and City agree as follows:

1. The scope of Work shall be changed to the extent described in Exhibit A.
2. With the exception of Washington State sales tax, the amount of the change order for the changes described in Exhibit A represents complete compensation for the changes described in Exhibit A, including all direct and indirect costs and impacts. The contract price shall be adjusted as described in this Change Order.
3. Everett Municipal Code 3.80.050 sets forth the threshold amounts below which the Mayor or his designee is authorized to direct Contractor to perform additional work. In calculating such threshold amounts, Washington State sales tax, if applicable to the Work, has been considered.
4. The duration of the Contract shall be adjusted to the extent described in this Change Order.
5. Contractor waives and releases any and all claims arising out of, or related to, this Change Order, the work described in Exhibit A, and all work and actual or constructive changes that occurred or began prior to the date of this Change Order, including, but not limited to, claims for equitable adjustment of time and compensation, delay, impact, overhead, or inefficiencies. This provision does not apply to requests for equitable adjustment of time or price for which the Contractor timely and properly provided notice of a differing site condition, protest, dispute, claim or Contract Claim as required by the Contract Documents. If the Contract Documents establish a time period for notice of a differing site condition, protest, dispute, claim, or Contract Claim that ends after the date of this Change Order, but relates to work performed prior to the date of this Change Order, then this provision does not apply if the Contractor timely and properly submits such notice
6. This Change Order only changes the contract between Contractor and City to the extent explicitly provided herein.

CITY			
<p>_____ Mayor Date: _____</p>	<p>Attest: _____ Approved As to Form: _____</p> <p>_____ City Clerk Date: _____</p> <p>_____ City Attorney Date: _____</p>		
Recommended By:			
<p>Construction Manager (if applicable)</p> <p></p>	<p>Project Engineer (if applicable)</p> <p></p>	<p>Engineering Manager (if applicable)</p> <p></p>	<p>Department Director</p>

Project: Riverfront Development Sanitary Sewer
Lift Station Improvements
Change Order No.5
Change Order Effective Date: April 22, 2016

<i>Porter</i> Date: <u>5/12/16</u>	Date: _____	Date: _____	Date: _____
CONTRACTOR			
By <i>Smith</i> Officer		Date: <u>5/5/16</u>	

Exhibit A—Description of Changed Work

This change order # 5 adds three (3) new bid items to Schedule "A", adds two (2) new bid items to Schedule "B", modifies one (1) existing bid item in Schedule "A", and modifies one (1) existing bid items in Schedule "B" as shown below.

Added Bid Items

Schedule "A" Bid Item # 205 – Lift Station 33 Electrical and Instrument Modifications. Add new bid item # 205, entitled "Lift Station 33 Electrical and Instrument Modifications" at the agreed to lump sum price of \$3,022.24, resulting in a \$3,022.24 increase to the Contract price.

Schedule "A" Bid Item # 206 – Lift Station 33-Eliminate Gypsum Wallboard. Add new bid item # 206, entitled "Lift Station 33-Eliminate Gypsum Wallboard" at the agreed to cost credit of \$10,300.00, resulting in a \$10,300.00 decrease to the Contract price.

Schedule "A" Bid Item # 207 – Lift Station 33 PUD Power Installation. Add new bid item # 207, entitled "Lift Station 33 PUD Power Installation" at the agreed to lump sum price of \$9,501.61, resulting in a \$9,501.61 increase to the Contract price.

Schedule "B" Bid Item # 107 – Lift Station 43 Electrical and Instrument Modifications. Add new bid item # 107, entitled "Lift Station 43 Electrical and Instrument Modifications" at the agreed to lump sum price of \$3,022.24, resulting in a \$3,022.24 increase to the Contract price.

Schedule "B" Bid Item # 108 – Lift Station 43-Eliminate Gypsum Wallboard. Add new bid item # 108, entitled "Lift Station 43-Eliminate Gypsum Wallboard" at the agreed to cost credit of \$3,000.00, resulting in a \$3,000.00 decrease to the Contract price.

Modified Bid Items

Schedule "A" Bid Item # 22 – Force Account. Modify existing bid item # 22 entitled, "Force Account" by adding \$40,000.00 to the Contract, resulting in a \$40,000.00 increase to the Contract price.

Schedule "B" Bid Item # 104 – Force Account. Modify existing bid item # 104 entitled, "Force Account" by adding \$40,000.00 to the Contract, resulting in a \$40,000 increase to the Contract price.

Exhibit B—Justification

Schedule "A" Bid Item # 205 – Lift Station 33 Electrical and Instrument Modifications.

Schedule "B" Bid Item # 107 – Lift Station 43 Electrical and Instrument Modifications.

The City of Everett directed the contractor to install different instrumentation equipment than was required in the contract. These bid items are being added to account for costs to pay for instrumentation equipment to be installed, minus credits to the City of Everett for materials originally specified for this work at Lift Station 33 and 43.

Schedule "A" Bid Item # 206 – Lift Station 33-Eliminate Gypsum Wallboard.

Schedule "B" Bid Item # 108 – Lift Station 43-Eliminate Gypsum Wallboard.

The City of Everett directed the contractor to eliminate Gypsum Wallboard from the Contract because it is not a necessary material for the inside of a Sewer Lift Station Structure. The Contractor is providing an equitable adjustment cost credit to the City of Everett for the elimination of Gypsum Wallboard, and these bid items are being added to account for those cost credits.

Schedule "A" Bid Item # 207 – Lift Station 33 PUD Power Installation. Snohomish County PUD required the installation of electrical conduit, and vaults before they would agree to provide power to Lift Station 33. This bid item is being added to account for costs to pay for work required by PUD.

Schedule "A" Bid Item # 22 – Force Account.

Schedule "B" Bid Item # 104 – Force Account.

These bid items have overrun their plan quantities and are being modified to account for and pay for costs incurred by the quantities overrun plus future increases to these bid items.

This Change Order # 5 results in an increase to the Contract price of \$82,246.48.

Exhibit C—Contract Time

Two (2) working days are added to the Contract time resulting from Change Order # 5 to account for additional electrical power work that was not part of the Contract.